

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

| | | |
|--------------------|---|-----------------|
| CABOT CORPORATION, |) | |
| |) | Civil Action |
| Plaintiff |) | No. 08-CV-01691 |
| |) | |
| vs. |) | |
| |) | |
| NIOTAN, INC., |) | |
| |) | |
| Defendant |) | |

O R D E R

NOW, this 30th day of September, 2011, upon
consideration of the following documents:

1. Defendant Niotan, Inc.'s Motion to Dismiss for Lack of Personal Jurisdiction or Improper Venue or, in the Alternative, Motion to Transfer Venue to U.S. District Court for the District of Nevada, which motion was filed September 29, 2008, (Document 7) together with;

Defendant Niotan, Inc.'s Memorandum of Law in Support of Its Motion to Dismiss for Lack of Personal Jurisdiction or Improper Venue or, in the Alternative, Motion to Transfer Venue to U.S. District Court for the District of Nevada, which memorandum was filed September 29, 2008, (Document 7);

2. Cabot's Opposition to Niotan's Motion to Dismiss for Lack of Personal Jurisdiction or Improper Venue or, in the Alternative, Motion to Transfer, which opposition was filed October 14, 2008, (Document 17);
3. Defendant Niotan, Inc.'s Reply in Support of its Motion to Dismiss for Lack of Personal Jurisdiction or Improper Venue or, in the Alternative, Motion to Transfer Venue to U.S. District Court for the District of Nevada, which reply brief was filed with permission on December 23, 2008, (Document 28);

4. Cabot's Proposed Findings of Fact and Conclusions of Law, filed July 1, 2009, (Document 62);
5. Defendant's Proposed Finding[s] of Fact and Conclusions of Law, filed July 1, 2009, (Document 63); and
6. Complaint and Jury Demand filed April 9, 2009 (Document 1);

after hearing held April 20, 2009, and May 15, 26 and 27, 2009; after closing arguments held July 15, 2009; and for the reasons expressed in the accompanying Opinion,

IT IS ORDERED that defendant's motion to dismiss is denied.

IT IS FURTHER ORDERED that defendant's alternative motion to transfer is granted.

IT IS FURTHER ORDERED that this case is transferred to the United States District Court for the District of Nevada.

IT IS FURTHER ORDERED that the Clerk of Court shall close this case for statistical purposes.

BY THE COURT:

/s/ JAMES KNOLL GARDNER
James Knoll Gardner
United States District Judge